

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**DON EUGENE SIEGELMAN,  
PAUL MICHAEL HAMRICK,  
GARY MACK ROBERTS, and  
RICHARD M. SCRUSHY**

**CRIMINAL NO. 2:05-CR-119-MEF**

**NOTICE OF COMPLIANCE**

COMES NOW the United States of America, by and through Louis V. Franklin, Sr., Acting United States Attorney for the Middle District of Alabama, and Andrew C. Lourie, Acting Chief of the Public Integrity Section of the Criminal Division of the United States Department of Justice, and hereby notifies this Court of compliance with the Order (Doc. # 253) filed on March 22, 2006, wherein the Court ordered any party, counsel of record, expert and any other person involved with the prosecution or defense of this case who has access to the information or data provided pursuant to 28 U.S.C. § 1867(f) to file an affidavit with the Court certifying that they have not used this data or information for the purpose of identifying the name or other information about those persons who may be jurors in the trial of this case.

Attached to this notice are affidavits of all persons associated with the prosecution of this case identified as having had access to any of the data or information described above.

Respectfully submitted this the 24th day of March, 2006.

LOUIS V. FRANKLIN, SR.  
ACTING UNITED STATES ATTORNEY

ANDREW C. LOURIE  
ACTING CHIEF, PUBLIC INTEGRITY  
SECTION

/s/ Louis V. Franklin, Sr.  
Acting United States Attorney  
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/s/Richard C. Pilger  
Department of Justice, Criminal Division  
Public Integrity Section  
10<sup>th</sup> & Constitution Ave, NW  
Bond Building - 12<sup>th</sup> Floor  
Washington, DC 20530  
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Fax: (202)514-3003  
Email: [richard.pilger@usdoj.gov](mailto:richard.pilger@usdoj.gov)

/s/ J.B. Perrine  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
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Email: [jb.perrine@usdoj.gov](mailto:jb.perrine@usdoj.gov)  
ASB-9077-E31J

/s/ Jennifer Garrett  
Special Assistant United States Attorney  
Assistant Attorney General  
Office the Attorney General  
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ASB-4600-T77J

/s/ Stephen P. Feaga  
Assistant United States Attorney  
One Court Square, Suite 201  
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Email: [steve.feaga@usdoj.gov](mailto:steve.feaga@usdoj.gov)  
ASB-7374A60S

/s/ Joseph L. Fitzpatrick, Jr. Special Assistant  
United States Attorney  
Assistant Attorney General  
Office of the Attorney General  
11 S. Union  
Montgomery, AL 36130  
Phone: (334)353-4839  
Fax: (334)242-4890  
Email: j.fitzpatrick@ago.al.state.us

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	
	)	<b>CRIMINAL NO. 2:05-CR-119-MEF</b>
<b>DON EUGENE SIEGELMAN,</b>	)	
<b>PAUL MICHAEL HAMRICK,</b>	)	
<b>GARY MACK ROBERTS, and</b>	)	
<b>RICHARD M. SCRUSHY</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on March 24, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

LOUIS V. FRANKLIN, SR.  
ACTING UNITED STATES ATTORNEY

/s/ J.B. Perrine  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104  
Phone: (334)223-7280  
Fax: (334)223-7135  
Email: [jb.perrine@usdoj.gov](mailto:jb.perrine@usdoj.gov)  
ASB-9077-E31J

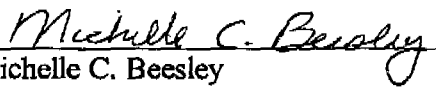
**DECLARATION UNDER PENALTY OF PERJURY OF MICHELLE C. BEESLEY IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Michelle C. Beesley, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a Senior Analyst with the firm of Smiley-Smith & Bright, CPAs (SS&B). SS&B has been retained to provide Expert Witness services to the United States Attorney's Office in the Middle District of Alabama. In connection with my duties at SS&B, I have provided technical support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Michelle C. Beesley  
Smiley-Smith & Bright, CPAs

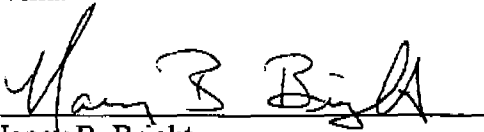
**DECLARATION UNDER PENALTY OF PERJURY OF NANCY B. BRIGHT IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Nancy B. Bright, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a partner with the firm of Smiley-Smith & Bright, CPAs (SS&B). SS&B has been retained to provide Expert Witness services to the United States Attorney's Office in the Middle District of Alabama. In connection with my duties at SS&B, I have provided technical support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Nancy B. Bright  
Smiley-Smith & Bright, CPAs

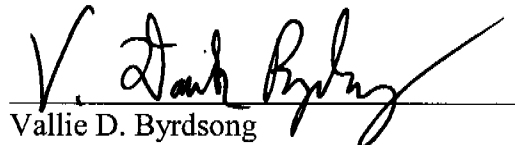
**DECLARATION UNDER PENALTY OF PERJURY OF VALLIE D. BYRDSONG IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Vallie Byrdsong, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a litigation support technician providing various services to the United States Attorney's Office in the Middle District of Alabama. I have provided technical support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

A handwritten signature in black ink, appearing to read "V. D. Byrdsong", is written over a horizontal line.

Vallie D. Byrdsong  
Lockheed-Martin\Aspen Systems Corporation

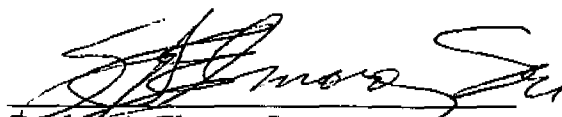
**DECLARATION UNDER PENALTY OF PERJURY OF STEPHEN A. ELMORE, SR. IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Stephen A. Elmore, Sr., make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a certified public accountant with the firm of Smiley-Smith & Bright, CPAs providing Expert Witness testimony for the United States Attorney's Office in the Middle District of Alabama. I have provided Expert Witness support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Stephen A. Elmore, Sr.  
Smiley-Smith & Bright, CPAs



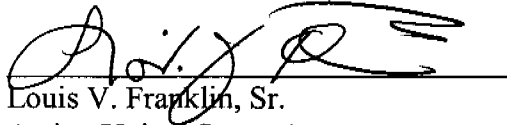
**DECLARATION UNDER PENALTY OF PERJURY OF JAMES B. PERRINE IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Louis V. Franklin, Sr., make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am an Assistant United States Attorney in the United States Attorney's Office in the Middle District of Alabama. Since January 2003, I have been Acting United States Attorney for the case of United States v. Siegelman, et, al., No. 2:05cr119-MEF. I have provided legal counsel on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Louis V. Franklin, Sr.  
Acting United States Attorney  
United States Attorney's Office  
Middle District of Alabama

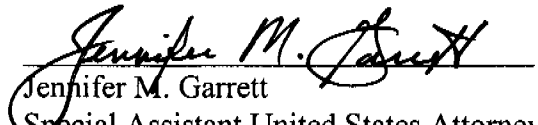
**DECLARATION UNDER PENALTY OF PERJURY OF JENNIFER M. GARRETT IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Jennifer M. Garrett, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am an Assistant Attorney General in the Alabama Attorney General's Office and a Special Assistant United States Attorney in the United States Attorney's Office in the Middle District of Alabama. Since August 2005, I have been assigned to provide legal representation for the United States in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided legal counsel on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

2. I have had access to the information or data the Court has provided to the parties in this case regarding the 2005 Qualified Jury Wheel pursuant to 28 U.S.C. § 1867(f) and the Defendants' Motions. I hereby certify that I have not used the data or information for the purpose of identifying the name or other identifying information about those persons who may be jurors in the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Jennifer M. Garrett  
Special Assistant United States Attorney  
United States Attorney's Office  
Middle District of Alabama

Assistant Attorney General  
Office of the Attorney General  
State of Alabama


**DECLARATION UNDER PENALTY OF PERJURY OF INGRID GRAVES IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Ingrid Graves, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a Senior Analyst with the firm of Smiley-Smith & Bright, CPAs (SS&B). SS&B has been retained to provide Expert Witness services to the United States Attorney's Office in the Middle District of Alabama. In connection with my duties at SS&B, I have provided technical support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

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I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Ingrid Graves  
Smiley-Smith & Bright, CPAs

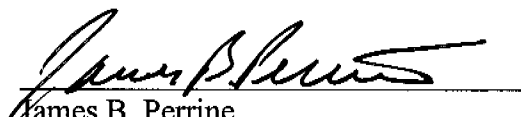
**DECLARATION UNDER PENALTY OF PERJURY OF JAMES B. PERRINE IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, James B. Perrine, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am an Assistant United States Attorney in the United States Attorney's Office in the Middle District of Alabama. Since May 2004, I have been assigned to provide legal representation for the United States in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided legal counsel on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

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I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
James B. Perrine  
Assistant United States Attorney  
United States Attorney's Office  
Middle District of Alabama

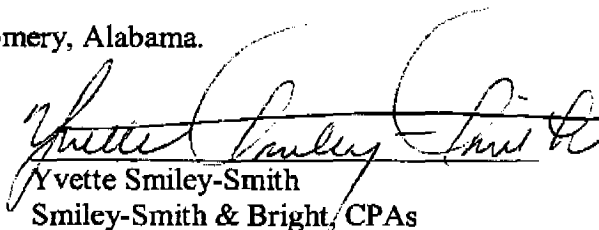
**DECLARATION UNDER PENALTY OF PERJURY OF YVETTE SMILEY-SMITH IN  
RESPONSE TO COURT'S ORDER OF MARCH 22, 2006**

I, Yvette Smiley-Smith, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a certified public accountant and Managing Principal of the firm of Smiley-Smith & Bright, CPAs which is providing Expert Witness testimony for the United States Attorney's Office in the Middle District of Alabama. I have provided Expert Witness support in the matter now pending before this Court as United States v. Siegelman et al., No. 2:05cr119-MEF. In particular, I have provided such support on behalf of the United States in response to Defendants Scrushy's, Siegelman's, and Hamrick's Preliminary Motions to Dismiss and Challenge to the Composition of Petit Jury Pools in the Middle District of Alabama and Motions for Discovery of Jury Records (hereinafter, collectively, the "Defendants' Motions").

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I declare under penalty of perjury that the foregoing is true and correct. Executed on March 24, 2006, in Montgomery, Alabama.

  
Yvette Smiley-Smith  
Smiley-Smith & Bright, CPAs